

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
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)
Plaintiff,) 8:07CR102
)
)
vs.) **FINAL ORDER OF**
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)
)
ROGELIO FUERTES-BOLANOS,)
)
)
Defendant.)

NOW ON THIS 11th day of December, 2007, this matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture and Memorandum Brief. The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On September 28, 2007, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Sections 846 and 853, Title 18, United States Code, Sections 922(g)(5), 924(d) and Title 28, United States Code, 2461(c), based upon the Defendant's plea of guilty to Counts I, III, IV and V of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in \$1,027.00 in United States currency and a Smith and Wesson .357 handgun, were forfeited to the United States.

2. On October 25, November 1 and 8, 2007, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the properties in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a hearing to adjudicate the validity of their alleged legal interest(s) in said properties. An Affidavit of Publication was filed herein on December 6, 2007 (Filing No. 64).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

4. The Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the \$1,027.00 in United States currency and a Smith and Wesson .357 handgun, held by any person or entity, is hereby forever barred and foreclosed.

C. The \$1,027.00 in United States currency and a Smith and Wesson .357 handgun, be, and the same hereby are, forfeited to the United States of America .

D. The United States Marshals Service for the District of Nebraska is directed to dispose of said properties in accordance with law.

DATED this 11th day of December, 2007

BY THE COURT:

s/ Joseph F. Bataillon

JOSEPH F. BATAILLON, CHIEF JUDGE
United States District Court